

## **EXHIBIT W-3**

d) A hanging (as in under an awning or similar) sign not to exceed three (3) square feet in area.

*10.6.3.10. Reserved.*

*10.6.3.11. SD-11 Coconut Grove Rapid Transit District.* This district is of special and substantial public interest because of its close proximity to the rapid transit station serving the Coconut Grove area. In the interest of reduction of travel and traffic within the city and conservation of energy, protection against automobile and pedestrian access conflicts, coordination of public and private traffic movement and facilities, encouragement of designs that will enhance the entrance to Coconut Grove and be compatible with the scale, landscape character, and diversity of Coconut Grove, it is intended that development, at appropriate intensity, shall be designed to assure attractive, secure pedestrian open space (including plazas) available to the general public, traffic patterns for pedestrians and automobiles that avoid conflicts and are properly linked to the transit station, and will be consistent with the character of Coconut Grove.

*Sign Regulations:*

*Temporary Signs:*

1. Temporary signs, including political election signs and real estate signs, shall be allowed subject to the exceptions, limitations and responsibilities of subsection 10.3.2. Real Estate signs shall be limited to one (1) sign per each street frontage.
2. In connection with holidays: Decorative flags, bunting, and other decorations on special occasions. No sign permit shall be required for display of decorative flags, bunting, and other decorations related to holidays.
3. Construction: Not to exceed one (1) construction sign, or thirty (30) square feet in area for each lot line adjacent to a street. Development signs shall not be permitted except in conjunction with such construction signs or by Class I Special Permit.

*Permanent signs:*

1. For a single establishment within a building:

Wall signs for a single establishment within a building: When a single establishment takes up an entire building, wall signs shall be limited to one and one half (1 1/2) square feet of sign area for each lineal foot of wall fronting on a street; there shall be no more than one (1) wall sign for each one hundred fifty (150) linear feet along a street front, with no more than three (3) total on any wall. Walls that do not have street frontage may contain no more than one (1) wall sign each, not to exceed fifty (50) square feet in area, but aggregate area shall be included as part of aggregate wall sign area as limited herein. Window signs, painted or attached, shall not exceed twenty (20) percent of the glassed area of the window in which placed. Number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.

Projecting signs (other than hanging signs) shall be limited to one (1) sign structure with no more than two (2) sign surfaces, neither of which shall exceed forty (40) square feet in sign area; however, that such permissible sign area may be increased to eighty (80) square feet where maximum projection from the face of the building is two (2) feet or less, sixty (60) square feet where projection is more than two (2) and less than three (3) feet, and forty (40) square feet where projection is at least three (3), but not more than four (4) feet the aggregate area of such signs shall be included as part of aggregate wall sign area, as limited above.

Ground/freestanding signs. Ground or freestanding signs, to the extent allowed subject to the limitations and restrictions set forth in Sections 10.4.5 and 10.8, shall be limited to one (1) sign structure with no more than two (2) sign surfaces, neither of which shall exceed forty (40) square feet in sign area, for each establishment or for each one hundred (100) feet of street frontage. Permitted sign area may be cumulative, but no sign surface shall exceed one hundred (100) square feet. Maximum height limitation shall be twenty (20) feet including embellishments, measured from the crown of the nearest adjacent local or arterial street, not including limited access highways or expressways, provided,

however, that the planning and zoning director may, pursuant to a Class II Special Permit, increase the measurement of the crown by up to five (5) feet to accommodate unusual or undulating site conditions.

Directional signs, number and area. Directional signs, which may be combined with address signs but shall bear no advertising matter, may be erected to guide to entrances, exits, or parking areas. Not more than one (1) such sign, not exceeding five (5) square feet in area, shall be erected per entrance, exit, or parking area.

2. For a single building with more than one (1) establishment opening up to the outdoors:

Wall signs: The building in which the establishments are located shall be allowed one (1) wall sign, limited to a building identification sign, not exceeding fifty (50) square feet in area, for each face of the building oriented toward the street; and in addition, each individual establishment within a building, that has a separate entrance to the outdoors (available to the general public, whether on the ground floor or on an upper level), and a minimum frontage of twenty (20) linear feet to the outdoors, shall be allowed the following signs:

- a) A wall sign not to exceed twenty (20) square feet in area;
- b) Window signs not to exceed twenty (20) percent of the glass area of the window or glass door in which placed; such window signs may be painted or attached, the number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.
- c) An awning sign, limited to the skirt or bottom edge of the awning; letters, emblems, logos or symbols not to exceed six (6) inches in height.
- d) A hanging (as in under an awning or similar) sign not to exceed three (3) square feet in area.

Window signs, painted or attached, shall not exceed twenty (20) percent of the glassed area of the window in which placed. Number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.

Projecting signs (other than hanging signs) shall be limited to one (1) sign structure with no more than two (2) sign surfaces, neither of which shall exceed forty (40) square feet in sign area; however, that such permissible sign area may be increased to eighty (80) square feet where maximum projection from the face of the building is two (2) feet or less, sixty (60) square feet where projection is more than two (2) and less than three (3) feet, and forty (40) square feet where projection is at least three (3), but not more than four (4) feet the aggregate area of such signs shall be included as part of aggregate wall sign area, as limited above.

Ground/freestanding signs. Ground or freestanding signs, to the extent allowed subject to the limitations and restrictions set forth in Sections 10.4.5 and 10.8, shall be limited to one (1) sign structure with no more than two (2) sign surfaces, neither of which shall exceed forty (40) square feet in sign area, for each establishment or for each one hundred (100) feet of street frontage. Permitted sign area may be cumulative, but no sign surface shall exceed one hundred (100) square feet. Maximum height limitation shall be twenty (20) feet including embellishments, measured from the crown of the nearest adjacent local or arterial street, not including limited access highways or expressways, provided, however, that the planning and zoning director may, pursuant to a Class II Special Permit, increase the measurement of the crown by up to five (5) feet to accommodate unusual or undulating site conditions.

Directional signs, number and area. Directional signs, which may be combined with address signs but shall bear no advertising matter, may be erected to guide to entrances, exits, or parking areas. Not more than one (1) such sign, not exceeding five (5) square feet in area, shall be erected per entrance, exit, or parking area.

3. Notwithstanding the provisions set forth herein, where there are commercial, service or retail uses in a structure which may not be seen directly from the public right-of-way,

but have direct access from a courtyard or open space which abuts a primary pedestrian pathway, a free-standing directional sign containing the names of all the establishments concealed from direct view may be erected which may be combined with a location map of the complex. Not more than one (1) such sign, not exceeding twenty (20) square feet in area, shall be erected per entrance, exit, or parking area.

4. Community or neighborhood bulletin boards or kiosks: Shall be permissible only by Class I Special Permit, as provided at section 10.3.1.6. In the case of flat bulletin boards, the area of such boards shall not exceed twenty-five (25) square feet; and, in the case of kiosks, such structures shall not exceed a plan section area of ten (10) square feet and an overall height (including architectural embellishments) of ten (10) feet.

*10.6.3.12. Reserved.*

*10.6.3.13. SD-13 S.W. 27th Avenue Gateway District.* The major gateway to Coconut Grove is 27th Avenue. This area is of special and substantial public interest because of the need to upgrade its amenities and visual quality. It is intended to encourage activities along the street frontage which generate street life, consistent with the character of Coconut Grove, which would strengthen the relation between the area and the transit station.

*Sign regulations:*

*Temporary Signs:*

1. Temporary signs, including political election signs and real estate signs, shall be allowed subject to the exceptions, limitations and responsibilities of subsection 10.3.2. Real Estate signs shall be limited to one (1) sign per each street frontage.
2. In connection with holidays: Decorative flags, bunting, and other decorations on special occasions. No sign permit shall be required for display of decorative flags, bunting, and other decorations related to holidays.
3. Construction or development signs, individually or in combination, shall be limited to one (1) per street frontage, not exceeding ten (10) square feet in area, and erected with the highest portion fifteen (15) feet or less above grade.

*Permanent signs:*

1. For a single establishment within a building:

Wall signs for a single establishment within a building: When a single establishment takes up an entire building, only one (1) wall sign, not exceeding fifty (50) square feet in area, for every one hundred fifty (150) feet of length of building wall shall be permitted for each face of the building oriented toward the street.

Window signs, painted or attached, shall not exceed ten (10) percent of the glassed area of the window in which placed. Number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above. Ground signs: Ground signs, where permissible, shall be limited to monument signs only; no pole signs shall be allowed. One (1) ground sign, limited to ten (10) square feet in area, may be erected for buildings on lots where the street yard exceeds twenty (20) feet in depth.

Not more than one (1) projecting sign, other than a hanging sign, shall be erected, with no more than two (2) sign surfaces, neither of which shall exceed ten (10) square feet in area. No such sign structure shall extend more than three (3) feet from the wall of the building.

Directional signs, number and area. Directional signs, which may be combined with address signs but shall bear no advertising matter, may be erected to guide to entrances, exits, or parking areas. Not more than one (1) such sign, not exceeding five (5) square feet in area, shall be erected per entrance, exit, or parking area.

2. For a single building with more than one (1) establishment opening up to the outdoors:

The building in which the establishments are located shall be allowed one (1) wall sign, limited to a building identification sign, not exceeding fifty (50) square feet in area, for each face of the building oriented toward the street; and in addition, each individual

establishment within a building, that has a separate entrance to the outdoors (available to the general public, whether on the ground floor or on an upper level), and a minimum frontage of twenty (20) linear feet to the outdoors, shall be allowed the following signs:

- a) A wall sign not to exceed twenty (20) square feet in area;
- b) Window signs not to exceed twenty (20) percent of the glass area of the window or glass door in which placed; such window signs may be painted or attached, the number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.
- c) An awning sign, limited to the skirt or bottom edge of the awning; letters, emblems, logos or symbols not to exceed six (6) inches in height.
- d) A hanging (as in under an awning or similar) sign not to exceed three (3) square feet in area.

**Ground signs:** Ground signs, where permissible, shall be limited to monument signs only; no pole signs shall be allowed. One (1) ground sign, limited to ten (10) square feet in area, may be erected for buildings on lots where the street yard exceeds twenty (20) feet in depth.

Not more than one (1) projecting sign, other than a hanging sign, shall be erected, with no more than two (2) sign surfaces, neither of which shall exceed ten (10) square feet in area. No such sign structure shall extend more than three (3) feet from the wall of the building.

Directional signs, number and area. Directional signs, which may be combined with address signs but shall bear no advertising matter, may be erected to guide to entrances, exits, or parking areas. Not more than one (1) such sign, not exceeding five (5) square feet in area, shall be erected per entrance, exit, or parking area.

3. Notwithstanding the provisions set forth herein, where there are commercial, service or retail uses in a structure which may not be seen directly from the public right-of-way, but have direct access from a courtyard or open space which abuts a primary pedestrian pathway, a free-standing directional sign containing the names of all the establishments concealed from direct view may be erected which may be combined with a location map of the complex. Not more than one (1) such sign, not exceeding twenty (20) square feet in area, shall be erected per entrance, exit, or parking area.

4. Community or neighborhood bulletin boards or kiosks: Shall be permissible only by Class I Special Permit, as provided at section 10.3.1.6. In the case of flat bulletin boards, the area of such boards shall not exceed twenty-five (25) square feet; and, in the case of kiosks, such structures shall not exceed a plan section area of ten (10) square feet and an overall height (including architectural embellishments) of ten (10) feet.

*10.6.3.14. SD-14, 14.1, 14.2 Latin Quarter Commercial Residential, and Residential Districts.* The Latin Quarter is of special public interest because of its distinctive ethnic culture that includes the language, history and atmosphere. The intent of this district designation is to reinforce and expand the area's individuality as well as to develop an Hispanic architectural character to improve the quality of life and attract visitors and tourists.

#### *Sign regulations:*

##### *Temporary Signs:*

1. Temporary signs, including political election signs and real estate signs, shall be allowed subject to the exceptions, limitations and responsibilities of subsection 10.3.2. Real Estate signs shall be limited to one (1) sign per each street frontage.
2. In connection with holidays: Decorative flags, bunting, and other decorations on special occasions. No sign permit shall be required for display of decorative flags, bunting, and other decorations related to holidays.
3. Construction or development signs, individually or in combination, shall be limited to one (1) per street frontage, not exceeding ten (10) square feet in area, and erected with the highest portion fifteen (15) feet or less above grade.

##### *Permanent signs:*

1. For a single establishment within a building:

Wall signs for a single establishment within a building: When a single establishment takes up an entire building, only one (1) wall sign, not exceeding fifty (50) square feet in area, for every one hundred fifty (150) feet of length of building wall shall be permitted for each face of the building oriented toward the street.

Window signs, painted or attached, shall not exceed twenty (20) percent of the glassed area of the window in which placed. Number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.

Ground signs: Ground signs, where permissible, shall be limited to monument signs only; no pole signs shall be allowed. One (1) ground sign, limited to ten (10) square feet in area, may be erected for buildings on lots where the street yard exceeds twenty (20) feet in depth.

Not more than one (1) projecting sign, other than a hanging sign, shall be erected, with no more than two (2) sign surfaces, neither of which shall exceed ten (10) square feet in area. No such sign structure shall extend more than three (3) feet from the wall of the building.

Directional signs, number and area. Directional signs, which may be combined with address signs but shall bear no advertising matter, may be erected to guide to entrances, exits, or parking areas. Not more than one (1) such sign, not exceeding five (5) square feet in area, shall be erected per entrance, exit, or parking area.

For Outdoor advertising business signs as accessory uses to principal commercial uses only, a Class II Special Permit shall be required, and such signs shall further be limited as follows:

- a) Signs shall be wall mounted only on side walls of the existing principal commercial structure and shall not be freestanding;
- b) Signs shall be limited to one (1) sign per structure only;
- c) Sign area shall be limited to no greater than thirty-two (32) square feet;
- d) Permissible sign area may only be utilized on a commercial structure which has the allowable thirty-two (32) square feet of sign area unused from the total permissible wall sign area for the structure in question. (not counting the twenty (20) sq. ft. of wall signs allowable per establishment); and
- e) Such signs may either be painted or mounted onto the subject wall.

2. For a single building with more than one (1) establishment opening up to the outdoors:

The building in which the establishments are located shall be allowed one (1) wall sign, limited to a building identification sign, not exceeding fifty (50) square feet in area, for each face of the building oriented toward the street; and in addition, each individual establishment within a building, that has a separate entrance to the outdoors (available to the general public, whether on the ground floor or on an upper level), and a minimum frontage of twenty (20) linear feet to the outdoors, shall be allowed the following signs:

- a) A wall sign not to exceed twenty (20) square feet in area;
- b) Window signs not to exceed twenty (20) percent of the glass area of the window or glass door in which placed; such window signs may be painted or attached, the number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.
- c) An awning sign, limited to the skirt or bottom edge of the awning; letters, emblems, logos or symbols not to exceed six (6) inches in height.
- d) A hanging (as in under an awning or similar) sign not to exceed three (3) square feet in area.

Ground signs: Ground signs, where permissible, shall be limited to monument signs only; no pole signs shall be allowed. One (1) ground sign, limited to ten (10) square feet in area, may be erected for buildings on lots where the street yard exceeds twenty (20) feet in depth.

Not more than one (1) projecting sign, other than a hanging sign, shall be erected, with no more than two (2) sign surfaces, neither of which shall exceed ten (10) square feet in area. No such sign structure shall extend more than three (3) feet from the wall of the building.

Directional signs, number and area. Directional signs, which may be combined with address signs but shall bear no advertising matter, may be erected to guide to entrances, exits, or parking areas. Not more than one (1) such sign, not exceeding five (5) square feet in area, shall be erected per entrance, exit, or parking area.

For Outdoor advertising business signs as accessory uses to principal commercial uses only, a Class II Special Permit shall be required, and such signs shall further be limited as follows:

- a) Signs shall be wall mounted only on side walls of the existing principal commercial structure and shall not be freestanding;
- b) Signs shall be limited to one (1) sign per structure only;
- c) Sign area shall be limited to no greater than thirty-two (32) square feet;
- d) Permissible sign area may only be utilized on a commercial structure which has the allowable thirty-two (32) square feet of sign area unused from the total permissible wall sign area for the structure in question. (not counting the twenty (20) sq. ft. of wall signs allowable per establishment); and
- e) Such signs may either be painted or mounted onto the subject wall.

3. Notwithstanding the provisions set forth herein, where there are commercial, service or retail uses in a structure which may not be seen directly from the public right-of-way, but have direct access from a courtyard or open space which abuts a primary pedestrian pathway, a free-standing directional sign containing the names of all the establishments concealed from direct view may be erected which may be combined with a location map of the complex. Not more than one (1) such sign, not exceeding twenty (20) square feet in area, shall be erected per entrance, exit, or parking area.

4. Community or neighborhood bulletin boards or kiosks: Shall be permissible only by Class I Special Permit, as provided at section 10.3.1.6. In the case of flat bulletin boards, the area of such boards shall not exceed twenty-five (25) square feet; and, in the case of kiosks, such structures shall not exceed a plan section area of ten (10) square feet and an overall height (including architectural embellishments) of ten (10) feet.

#### *10.6.3.15. SD-15 River Quadrant Mixed-Use District.*

This district is of special and substantial public interest because of its unique location adjacent to the Central Business District, along the Miami River, surrounding the proposed River Quadrant Metrorail Station. In the interest of: reduction of traffic within the city generally and in this district in particular; support of the existing and proposed transit facilities; conservation of energy, and the creation of an intensive urban environment with a twenty-four-hour activity pattern, it is intended that high-intensity mixed-use development of office, hotel, residential, retail, service, cultural and entertainment uses be encouraged. Along the Miami River, it is intended to encourage waterdependent and water-related uses that are compatible with the adjacent development.

It is intended that the character of development shall be such as to enhance the amenity of the location along the Miami River and to provide for pleasant and attractive surroundings throughout the district. Orientation and design of principal buildings and related site design and improvements shall be such as to: provide direct convenient pedestrian access to Metrorail and Metromover stations, protect views of the water from principal public view points; provide public pedestrian access to and along the riverfront; and provide pedestrians with active, interesting, well landscaped and convenient spaces at ground level with outdoor passive or active recreation areas for employees, visitors and residents. It is further intended that rooftops as seen from upper level areas shall present an attractive appearance.

*Sign Regulations:*

*Temporary Signs:*

1. Temporary signs, including political election signs and real estate signs, shall be allowed subject to the exceptions, limitations and responsibilities of subsection 10.3.2. Real Estate signs shall be limited to one (1) sign per each street frontage.
2. In connection with holidays: Decorative flags, bunting, and other decorations on special occasions. No sign permit shall be required for display of decorative flags, bunting, and other decorations related to holidays.
3. Construction: Not to exceed one (1) construction sign, or thirty (30) square feet in area for each lot line adjacent to a street. Development signs shall not be permitted except in conjunction with such construction signs or by Class I Special Permit.

*Permanent signs:*

1. For a single establishment within a building:

Wall signs for a single establishment within a building: When a single establishment takes up an entire building, wall signs shall be limited to one and one half (1 1/2) square feet of sign area for each lineal foot of wall fronting on a street; there shall be no more than one (1) wall sign for each one hundred fifty (150) linear feet along a street front, with no more than three (3) total on any wall. Walls that do not have street frontage may contain no more than one (1) wall sign each, not to exceed fifty (50) square feet in area, but aggregate area shall be included as part of aggregate wall sign area as limited herein. Window signs, painted or attached, shall not exceed twenty (20) percent of the glassed area of the window in which placed. Number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.

Projecting signs (other than hanging, as in under awning or canopy, signs) shall be limited to one (1) sign structure with no more than two (2) sign surfaces, neither of which shall exceed twenty-five (25) square feet in sign area.

Ground/freestanding signs. Ground or freestanding signs, to the extent allowed subject to the limitations and restrictions set forth in Sections 10.4.5 and 10.8, shall be limited to one (1) sign structure with no more than two (2) sign surfaces per parallel street frontage, neither of which shall exceed forty (40) square feet in sign area, for each establishment or for each fifty (50) feet of street frontage. Permitted sign area shall be cumulative, but no sign surface shall exceed eighty (80) square feet. Maximum height limitation shall be twenty (20) feet including embellishments, measured from the crown of the nearest adjacent local or arterial street, not including limited access highways or expressways, provided, however, that the planning and zoning director, through a Class II Special Permit, may increase the measurement of the crown by up to five (5) feet to accommodate unusual or undulating site conditions.

Directional signs, number and area. Directional signs, which may be combined with address signs but shall bear no advertising matter, may be erected to guide to entrances, exits, or parking areas. Not more than one (1) such sign, not exceeding five (5) square feet in area, shall be erected per entrance, exit, or parking area.

2. For a single building with more than one (1) establishment opening up to the outdoors:

Wall signs: The building in which the establishments are located shall be allowed one (1) wall sign, limited to a building identification sign, not exceeding fifty (50) square feet in area, for each face of the building oriented toward the street; and in addition, each individual establishment within a building, that has a separate entrance to the outdoors (available to the general public, whether on the ground floor or on an upper level), and a minimum frontage of twenty (20) linear feet to the outdoors, shall be allowed the following signs:

- a) A wall sign not to exceed twenty (20) square feet in area;
- b) Window signs not to exceed twenty (20) percent of the glass area of the window or glass door in which placed; such window signs may be painted or attached, the number of

such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.

- c) An awning sign, limited to the skirt or bottom edge of the awning; letters, emblems, logos or symbols not to exceed six (6) inches in height.
- d) A hanging (as in under an awning or similar) sign not to exceed three (3) square feet in area.

Window signs, painted or attached, shall not exceed twenty (20) percent of the glassed area of the window in which placed. Number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.

Projecting signs (other than hanging, as in under awning or canopy, signs) shall be limited to one (1) sign structure with no more than two (2) sign surfaces, neither of which shall exceed twenty-five (25) square feet in sign area.

Ground/freestanding signs. Ground or freestanding signs, to the extent allowed subject to the limitations and restrictions set forth in Sections 10.4.5 and 10.8, shall be limited to one (1) sign structure with no more than two (2) sign surfaces per parallel street frontage, neither of which shall exceed forty (40) square feet in sign area, for each establishment or for each fifty (50) feet of street frontage. Permitted sign area shall be cumulative, but no sign surface shall exceed eighty (80) square feet. Maximum height limitation shall be twenty (20) feet including embellishments, measured from the crown of the nearest adjacent local or arterial street, not including limited access highways or expressways, provided, however, that the planning and zoning director, through a Class II Special Permit, may increase the measurement of the crown by up to five (5) feet to accommodate unusual or undulating site conditions.

Directional signs, number and area. Directional signs, which may be combined with address signs but shall bear no advertising matter, may be erected to guide to entrances, exits, or parking areas. Not more than one (1) such sign, not exceeding five (5) square feet in area, shall be erected per entrance, exit, or parking area.

3. Notwithstanding the provisions set forth herein, where there are commercial, service or retail uses in a structure which may not be seen directly from the public right-of-way, but have direct access from a courtyard or open space which abuts a primary pedestrian pathway, a free-standing directional sign containing the names of all the establishments concealed from direct view may be erected which may be combined with a location map of the complex. Not more than one (1) such sign, not exceeding twenty (20) square feet in area, shall be erected per entrance, exit, or parking area.

4. Community or neighborhood bulletin boards or kiosks: Shall be permissible only by Class I Special Permit, as provided at section 10.3.1.6. In the case of flat bulletin boards, the area of such boards shall not exceed twenty-five (25) square feet; and, in the case of kiosks, such structures shall not exceed a plan section area of ten (10) square feet and an overall height (including architectural embellishments) of ten (10) feet.

#### *10.6.3.16. SD-16, 16.1, 16.2 Southeast Overtown-Park West Commercial-Residential Districts.*

It is of special and substantial public interest to guide redevelopment in accord with the Southeast Overtown-Park West redevelopment plan in the area north of the Central Business District, west of Bicentennial Park, south of I-395, and east of I-95 by regulations encouraging a quality residential living environment with direct access to shopping, recreation, transportation and employment. It is intended that development at appropriate high intensity will provide a variety of housing opportunities, open character, attractive and secure open space, appropriately located residential recreation space serving residential uses, adequate retail and service support facilities, and a safe pedestrian movement system.

It is intended that multifamily residential occupancy in this area is to be promoted and encouraged, either in separate buildings or in combination with office and supporting

retail and service uses, and that such supporting uses shall be scaled and designed to serve the needs of the districts.

It is intended that the character of the development shall be moderate to high intensity that provides an attractive, secure environment for residents and workers with a variety of forms for spatial interest. Site planning and orientation shall protect and enhance view corridors, and shall take maximum advantage of potential views and prevailing air currents. In general, to maintain continuity between buildings and adjacent blocks, developments shall adhere to applicable yard, setback and landscaping standards.

In consideration of the proposed concentration of residential occupancy and supporting commercial uses and the availability of mass transit, these regulations are intended to promote pedestrian comfort and convenience. Developments shall provide barrier free movement on pedestrian ways, desirable shade and shelter in pedestrian areas, and solar access where necessary for the provision of recreation, energy or other purposes.

Consideration shall be given to ground and upper level pedestrian connections to adjacent or nearby developments.

*Sign regulations:*

*Temporary Signs:*

1. Temporary signs, including political election signs and real estate signs, shall be allowed subject to the exceptions, limitations and responsibilities of subsection 10.3.2. Real Estate signs shall be limited to one (1) sign per each street frontage.
2. In connection with holidays: Decorative flags, bunting, and other decorations on special occasions. No sign permit shall be required for display of decorative flags, bunting, and other decorations related to holidays.
3. Construction: Not to exceed one (1) construction sign, or thirty (30) square feet in area for each lot line adjacent to a street. Development signs shall not be permitted except in conjunction with such construction signs or by Class I Special Permit.

*Permanent signs:*

1. For a single establishment within a building:

Wall signs for a single establishment within a building: When a single establishment takes up an entire building, only one (1) wall sign, not exceeding fifty (50) square feet in area, for every one hundred fifty (150) feet of length of building wall shall be permitted for each face of the building oriented toward the street.

Window signs, painted or attached, shall not exceed twenty (20) percent of the glassed area of the window in which placed. Number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.

Ground signs: Ground signs, where permissible, shall be limited to monument signs only; no pole signs shall be allowed. One (1) ground sign, limited to ten (10) square feet in area, may be erected for buildings on lots where the street yard exceeds twenty (20) feet in depth.

Not more than one (1) projecting sign, other than a hanging sign, shall be erected, with no more than two (2) sign surfaces, neither of which shall exceed ten (10) square feet in area. No such sign structure shall extend more than three (3) feet from the wall of the building.

Directional signs, number and area. Directional signs, which may be combined with address signs but shall bear no advertising matter, may be erected to guide to entrances, exits, or parking areas. Not more than one (1) such sign, not exceeding five (5) square feet in area, shall be erected per entrance, exit, or parking area.

For Outdoor advertising business signs as accessory uses to principal commercial uses only, a Class II Special Permit shall be required, and such signs shall further be limited as follows:

- a) Signs shall be wall mounted only on side walls of the existing principal commercial structure and shall not be freestanding;
- b) Signs shall be limited to one (1) sign per structure only;

- c) Sign area shall be limited to no greater than thirty-two (32) square feet.
  - d) Permissible sign area may only be utilized on a commercial structure which has the allowable thirty-two (32) square feet of sign area unused from the total permissible wall sign area for the structure in question. (not counting the twenty (20) sq. ft. of wall signs allowable per establishment); and
  - e) Such signs may either be painted or mounted onto the subject wall.
2. For a single building with more than one (1) establishment opening up to the outdoors:
- The building in which the establishments are located shall be allowed one (1) wall sign, limited to a building identification sign, not exceeding fifty (50) square feet in area, for each face of the building oriented toward the street; and in addition, each individual establishment within a building, that has a separate entrance to the outdoors (available to the general public, whether on the ground floor or on an upper level), and a minimum frontage of twenty (20) linear feet to the outdoors, shall be allowed the following signs:
- a) A wall sign not to exceed twenty (20) square feet in area;
  - b) Window signs not to exceed twenty (20) percent of the glass area of the window or glass door in which placed; such window signs may be painted or attached, the number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.
  - c) An awning sign, limited to the skirt or bottom edge of the awning; letters, emblems, logos or symbols not to exceed six (6) inches in height.
  - d) A hanging (as in under an awning or similar) sign not to exceed three (3) square feet in area.
- Ground signs: Ground signs, where permissible, shall be limited to monument signs only; no pole signs shall be allowed. One (1) ground sign, limited to ten (10) square feet in area, may be erected for buildings on lots where the street yard exceeds twenty (20) feet in depth.
- Not more than one (1) projecting sign, other than a hanging sign, shall be erected, with no more than two (2) sign surfaces, neither of which shall exceed ten (10) square feet in area. No such sign structure shall extend more than three (3) feet from the wall of the building.
- Directional signs, number and area. Directional signs, which may be combined with address signs but shall bear no advertising matter, may be erected to guide to entrances, exits, or parking areas. Not more than one (1) such sign, not exceeding five (5) square feet in area, shall be erected per entrance, exit, or parking area.
- For Outdoor advertising business signs as accessory uses to principal commercial uses only, a Class II Special Permit shall be required, and such signs shall further be limited as follows:
- a) Signs shall be wall mounted only on side walls of the existing principal commercial structure and shall not be freestanding;
  - b) Signs shall be limited to one (1) sign per structure only;
  - c) Sign area shall be limited to no greater than thirty-two (32) square feet;
  - d) Permissible sign area may only be utilized on a commercial structure which has the allowable thirty-two (32) square feet of sign area unused from the total permissible wall sign area for the structure in question. (not counting the twenty (20) sq. ft. of wall signs allowable per establishment); and
  - e) Such signs may either be painted or mounted onto the subject wall.
3. Notwithstanding the provisions set forth herein, animated and flashing signs and banners shall be permitted for ground level nonresidential uses fronting on N.E. and N.W. 9 Street.
4. Notwithstanding the provisions set forth herein, where there are commercial, service or retail uses in a structure which may not be seen directly from the public right-of-way, but have direct access from a courtyard or open space which abuts a primary pedestrian pathway, a free-standing directional sign containing the names of all the establishments

concealed from direct view may be erected which may be combined with a location map of the complex. Not more than one (1) such sign, not exceeding twenty (20) square feet in area, shall be erected per entrance, exit, or parking area.

5. Community or neighborhood bulletin boards or kiosks: Shall be permissible only by Class I Special Permit, as provided at section 10.3.1.6. In the case of flat bulletin boards, the area of such boards shall not exceed twenty-five (25) square feet; and, in the case of kiosks, such structures shall not exceed a plan section area of ten (10) square feet and an overall height (including architectural embellishments) of ten (10) feet.

6. Outdoor advertising business signs shall be permitted only in conjunction with a "Media Tower" as defined herein in Section 10.2 and Article 25.

*For Media Tower:*

Media Tower. A structure that may serve as a viewing tower and a kinetic illuminated media display system, utilizing signage, video and all other forms of animated illuminated visual message media within the Southeast/Overtown Park West Redevelopment Area.

It is intended that such a structure shall be used to achieve an overall effect and aesthetic consistency within the private-owned properties within the District based upon criteria provided for and set forth in the implementing zoning ordinance provisions and applicable provisions of Chapter 163, Part III, Florida Statutes referred to herein as the Community Redevelopment Act of 1969, and in the implementing provisions of this ordinance.

*Implementation:*

The Miami Media Tower shall exist solely in the Southeast Overtown/Park West Redevelopment Area.

Such a "Media Tower", inclusive of animated signage, shall not be implemented until such time that a Masterplan for the Community Redevelopment Area is completed, and an appropriate location for such a project is identified.

*Criteria.* It is the purpose of the Miami Media Tower to (a) define an area in the City where signage of this type can be placed on a tower(s) that together with architectural design standards for buildings within the area as well as urban design standards based on new urbanist principles in the area of the City will establish a unique local, regional and national identity within the District; (b) strengthen the economy of the City by encouraging the development and redevelopment of a depressed, blighted and slum area within a major redevelopment area within the downtown core of the City; and (c) provide a source of funds to be used exclusively within said redevelopment area for redevelopment related activities, and nothing else.

*Permitting.* A Class II Special Permit shall be required for all such signs specified herein. All applications shall require a mandatory review by the Urban Development Review Board and approval by the Executive Director of the CRA.

*10.6.3.17. Reserved.*

*10.6.3.18. Reserved.*

*10.6.3.19. Reserved.*

*10.6.3.20. SD-20 Edgewater Overlay District.* The intent of this overlay district is to provide a development incentive for the general Edgewater/Omni area between Northeast 2nd Avenue to Biscayne Bay. It is also the intent to preserve the urban character of the area, to preserve and enhance property values through setbacks and lot coverage restructure so as to enhance the area as a place to live and work.

*Sign Regulations:* Except as otherwise provided, signs may be illuminated but shall not be animated or flashing. Sign limitations shall be as for the underlying district, except for properties which have direct frontage along Biscayne Boulevard or which have frontage within one hundred (100) feet of Biscayne Boulevard, in which case sign limitations shall be as provided below:

*1. General limitations.*

- a) Signs more than fifteen (15) feet above grade, but less than fifty (50) feet above grade. Signs erected with their lowest portions more than fifteen (15) feet above grade shall be limited to those identifying the building and the nature of the establishments it contains. Except as provided below, only one (1) such sign, not exceeding fifty (50) square feet in area for every one hundred fifty (150) feet of length of building wall oriented toward the street, shall be permitted. In addition to the Class II Special Permit required for such signs, referral to the urban development review board shall be mandatory for signs fifteen (15) feet above grade that exceed the allowable fifty (50) square feet of sign area. Area of such signs shall in no case exceed 1.5 square feet for each lineal foot of building wall frontage on a street.
- b) Signs fifteen (15) feet or less above grade; limitations on number and area. Wall signs (not including signs in glassed areas of windows or doors) and projecting signs erected with their highest portion fifteen (15) feet or less above grade shall be limited in total area to twenty (20) square feet, except as otherwise specifically provided herein (see section 3 below). Signs in glassed areas of windows and doors shall not exceed ten (10) percent of the glassed area of the window or door involved.

*2. Detailed limitations, wall signs, projecting signs, window signs.*

- a) Within twenty (20) square feet maximum allowable, at or below fifteen (15) feet above grade, the following limitations shall apply to number and area of signs. Not more than one (1) wall sign may be erected per establishment unless the establishment has frontage along two (2) streets, in which case two (2) wall signs shall be permitted, one (1) on each wall fronting a street, and the maximum area of any such sign shall be twenty (20) square feet. Not more than one (1) projecting sign, other than a marquee sign, shall be erected, with no more than two (2) surfaces, neither of which shall exceed twenty-five (25) square feet in area. No such sign structure shall extend more than three (3) feet from the wall of the building. Marquee signs shall be limited to one (1) per establishment and three (3) square feet in sign area.

*3. Directional signs, number and area.* Directional signs, which may be combined with address signs, but shall bear no advertising matter, may be erected to guide entrances, exits or parking areas. Not more than one (1) such sign, not exceeding five (5) square feet in area, shall be erected per entrance, exit or parking area.

*4. Community or neighborhood bulletin boards or kiosks.* Community or neighborhood bulletin boards or kiosks shall be permissible only by Class I Special Permit, as provided at section 10.3.1.6. In the case of flat bulletin boards, the area of such boards shall not exceed 25 square feet; and, in the case of kiosks, such structures shall not exceed a plan section area of 10 square feet and an overall height (including architectural embellishments) of 10 feet.

*5. Prohibited signs.* Balloon signs and ground or freestanding signs, except for temporary signs.

Notwithstanding the above, when a single building consists of multiple establishments opening up to the outdoors, the following shall apply:

Wall signs: The building in which the establishments are located shall be allowed one (1) wall sign, limited to a building identification sign, not exceeding fifty (50) square feet in area, for each face of the building oriented toward the street; and in addition, each individual establishment within a building, that has a separate entrance to the outdoors (available to the general public, whether on the ground floor or on an upper level), and a minimum frontage of 20 linear feet to the outdoors, shall be allowed the following signs:

- a) A wall sign not to exceed 20 square feet in area;
- b) Window signs not to exceed twenty (20) percent of the glass area of the window or glass door in which placed; such window signs may be painted or attached, the number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.
- c) An awning sign, limited to the skirt or bottom edge of the awning; letters, emblems, logos or symbols not to exceed 6 inches in height.

- d) A hanging (as in under an awning or similar) sign not to exceed 3 square feet in area.
- 10.6.3.21. Reserved.*

*10.6.3.22. SD-22 Florida Avenue Special District.* The intent of this special district is of substantial public interest because of the pressing need to redevelop this area of Coconut Grove, so that it may properly fulfill its role as a transitional zone between the existing SD-2 Coconut Grove Central Commercial District to the south and east, the R-2 Two-Family Residential District to the south and east, the R-2 Two-Family Residential District to the north, and the R-1 Single Family Residential District to the west.

In order to accomplish this goal a slight increase in density, along with the opportunity to integrate limited commercial uses as a component, is implemented so as to establish a mixed use district. Such development is intended to bring pedestrians from the Coconut Grove commercial area into Florida Avenue. The increased activity generated by the implementation of limited commercial uses on the street will provide this district with the additional presence needed to enhance safety for residents and visitors alike.

The creation of this district will also enact a set of design standards and guidelines with the intended effect of providing this neighborhood with a unique yet appropriate character. The desire result is to transform this transitional area into an asset to the community by making it a safe, pedestrian-friendly and well-planned neighborhood with a slightly densified, yet still predominantly vernacular architectural environment.

*Limitations on signs.*

*Temporary signs:*

1. Temporary signs, which include political election signs and real estate signs, shall be allowed subject to the exceptions, limitations and responsibilities of subsections 10.3.2. Real Estate signs shall be limited in area to no more than one per street frontage.
2. In connection with active and continuing new construction work in progress: Except for Planned Unit Developments (PUD), construction signs shall not exceed one (1) construction sign, or six (6) square feet in area, for each lot line adjacent to a street. Such signs shall not be illuminated. PUD construction signs shall not exceed twenty (20) square feet in area, one (1) for each lot line adjacent to a street. Development signs shall not be permitted except in conjunction with such construction signs or by Class I Special Permit as provided in section 10.4.
3. In connection with holidays: Decorative flags, bunting, and other decorations on special occasions. No sign permit shall be required for display of decorative flags, bunting, and other decorations related to holidays

*Permanent signs:* Except as otherwise provided, such signs may be illuminated but shall not be animated or flashing.

*In connection with each dwelling unit and all other uses:*

1. Address signs, not to exceed one (1) for each dwelling unit or other use for each lot line adjacent to a street, or two (2) square feet in area, except as provided below.
2. Window signs which do not exceed one (1) square foot in area limited to one such sign per residential unit.
3. Notice, directional and warning signs, not to exceed one (1) for each dwelling unit or other use for each lot line adjacent to a street, or two (2) square feet in area, provided that, where such signs are combined with address signs, maximum total area shall not exceed three (3) square feet. Such signs, if freestanding, shall not exceed three (3) feet in height, be closer than ten (10) feet to any adjacent lot, or be closer than two (2) feet to any street line. Such signs shall not be illuminated.
4. For signs related to home occupations, total signage is limited to ten (10) square feet per building. Signs must be front lit only and no illumination of signs shall cause spill-over onto adjacent properties.
5. No signage shall be placed above the first floor level.

*10.6.3.23. SD-23 Coral Way Special Overlay District.* Mature banyan trees growing in the median and arching over the roadways on either side characterize the Coral Way

corridor. This creates a "green tunnel" effect that is widely admired for its softening of this four-lane divided roadway.

Coral Way is designated as a historic roadway by the State of Florida, and cannot be significantly modified or widened without findings of special exception and concurrence by the City of Miami. This designation is largely responsible for the continuing existence of the banyan trees, and can provide a basis for further enhancement and beautification of the roadway.

Coral Way is a very diverse urban corridor containing a combination of one and two story residential developments, office developments of one and two stories and up to ten stories, and predominantly one story retail and service establishments. There are numerous instances of different land uses occurring on opposite sides of the corridor. This unique blend of retail, office and residential uses marks Coral Way as special urban neighborhood with a great deal of pedestrian activity.

It is the intent of this special district to preserve the character of certain sections of Coral way within the City, from downtown to the city limits at SW 37th Avenue. Coral Way is a gateway into the city and should be preserved and enhanced in a manner befitting this designation. To this end, the purpose of this special district overlay is to ensure that future development and redevelopment activity respects this character and compliments the scale and variety of uses along the Coral Way corridor.

**Sign Regulations:** Sign limitations shall be as for the underlying districts, except as provided below:

*1. General limitations.*

- a) Signs more than fifteen (15) feet above grade, but less than fifty (50) feet above grade. Signs erected with their lowest portions more than fifteen (15) feet above grade shall be limited to those identifying the building and the nature of the establishments it contains. Except as provided below, only one (1) such sign, not exceeding fifty (50) square feet in area for every one hundred (100) feet of length of building wall oriented toward the street, shall be permitted. In addition to the Class II Special Permit required for such signs, referral to the urban development review board shall be mandatory for signs fifteen (15) feet above grade that exceed the allowable fifty (50) square feet of sign area. Area of such signs shall in no case exceed 1.5 square feet for each lineal foot of building wall frontage on a street.
- b) Signs fifteen (15) feet or less above grade; limitations on number and area. Wall signs (not including signs in glassed areas of windows or doors) and projecting signs erected with their highest portion fifteen (15) feet or less above grade shall be limited to one (1) square foot of sign area for each lineal foot of wall frontage on a street, except as otherwise specifically provided herein. Signs in glassed areas of windows and doors shall not exceed ten (10) percent of the glassed area of the window or door involved.

*2. Detailed limitations, wall signs, projecting signs, window signs.*

- a) Within the maximum allowable sign area, at or below fifteen (15) feet above grade (as calculated above), the following limitations shall apply to number and area of signs. Not more than one (1) wall sign may be erected per establishment unless the establishment has frontage along two (2) streets, in which case two (2) wall signs shall be permitted, one (1) on each wall fronting a street, and the maximum area of any such sign shall be limited to one (1) square foot of sign area for each lineal foot of wall fronting on the street upon which that wall faces. Not more than one (1) projecting sign, other than a marquee sign, shall be erected, with not more than two (2) surfaces, neither of which shall exceed twenty-five (25) square feet in area. No such sign structure shall extend more than three (3) feet from the wall of the building. Marquee signs shall be limited to one (1) per establishment and three (3) square feet in sign area.

- 3. Directional signs, number and area.* Directional signs, which may be combined with address signs, but shall bear no advertising manner [matter], may be erected to guide entrances, exits or parking areas. Not more than one (1) such sign, not exceeding five (5) square feet in area, shall be erected per entrance, exist or parking area.

*4. Community neighborhood bulletin boards or kiosks.* Community or neighborhood bulletin boards or kiosks shall be permissible only by Class I Special Permit, as provided at section 10.3.1.6. In the case of flat bulletin boards, the area of such boards shall not exceed 25 square feet; and, in the case of kiosks, such structures shall not exceed a plan section area of 10 square feet and an overall height (including architectural embellishments) of 10 feet.

*5. Prohibited signs.* Balloon signs and ground or freestanding signs, except for temporary signs.

*6. Compliance; time limitations for existing nonconforming signage.* All nonresidential establishments located within the SD-23 District must come into compliance with the signage requirements herein, as they relate to the permitted number of signs, no later than December 31, 2002.

Notwithstanding the above, when a single building consists of multiple establishments opening up to the outdoors, the following shall apply:

Wall signs: The building in which the establishments are located shall be allowed one (1) wall sign, limited to a building identification sign, not exceeding fifty (50) square feet in area, for each face of the building oriented toward the street; and in addition, each individual establishment within a building, that has a separate entrance to the outdoors (available to the general public, whether on the ground floor or on an upper level), and a minimum frontage of 20 linear feet to the outdoors, shall be allowed the following signs:

- a) A wall sign not to exceed 20 square feet in area;
- b) Window signs not to exceed twenty (20) percent of the glass area of the window or glass door in which placed; such window signs may be painted or attached, the number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.
- c) An awning sign, limited to the skirt or bottom edge of the awning; letters, emblems, logos or symbols not to exceed 6 inches in height.
- d) A hanging (as in under an awning or similar) sign not to exceed 3 square feet in area.

#### *10.6.3.23.1. Vertical Shopping Center Sign Regulations.*

A Vertical Shopping Center is a retail building containing four (4) or more major retail establishments, each of which occupies twenty thousand (20,000) or more square feet and which are located in a vertical configuration.

1. Primary Building Identity Sign. Each Vertical Shopping Center may install one primary building identity marquee for the entire site located at the primary street facade of the building. This marquee may contain the name of the center only, however, if the center is named utilizing the name of the primary retail tenant, then that tenant's name and the name of the center may be incorporated into the marquee. The marquee may consist of vertical and/or horizontal architectural elements, which incorporate the graphic logo and/or name of the center. The "sign" portion of the marquee may utilize no more than sixty (60) percent of the overall area in square footage of the marquee, not to exceed a total sign area of three hundred (300) square feet. The marquee may be single-faced or double-faced depending on the architectural design of the marquee. The marquee must be designed to be part of the overall architectural development of the facade.

2. Primary Retail Tenant Sign.

Primary Retail Tenant is defined as a retail tenant who occupies more than twenty thousand (20,000) square feet of retail space within a Vertical Shopping Center.

(a) Primary Retail Tenant Building Identity Sign Areas.

Each Vertical Shopping Center shall be entitled to create an architectural sign area on two of the facades of the building provided that the sign area are on two different facades and at least one fronts on a street. The architectural sign area may hold up to six (6) Primary Retail Tenant identity signs.

The Primary Retail Tenant identity signs shall be cut-out, punch through aluminum face signs (face type of signs). The total sign area for the two (2) identity sign areas shall not exceed four (4) percent of the cumulative facade area of the adjacent facades of the

building. Up to six (6) Primary Retail Tenant identities may be exhibited. However, no individual retail tenant identity sign may exceed one hundred twenty (120) square feet in total sign face area. Light box type of sign with luminous plastic or acrylic panels are prohibited. Exposed neon or light sources are prohibited.

(b) Projecting Blade Signs. Vertical Shopping Centers may include projecting blade signs located in predetermined architectural locations along the facade of the building and with a predetermined and approved design. Each Primary Retail Tenant may apply their logo text and graphics to be incorporated into these features. Each one of these projecting blade signs may not be more than fifty (50) square feet in sign area on the blade sign panel. Light box type of sign with luminous plastic or acrylic panels are prohibited.

(c) Primary Retail Tenant Facade Signs.

Primary Retail Tenants in Vertical Shopping Centers may install one facade or wall type of sign located on the architectural facade directly above the entrance of the tenant's storefront. This sign is to be made up of individual channel letters attached directly to the wall or facade with a six-inch (6") stand-off spacer. No raceway or surface jumping of electrical wires are permitted. All Primary Retail Tenant facade or wall signs shall be set on a timer to go on and off with all other tenant signs.

The Primary Retail Tenant facade signs may use either reverse channel "halo" type of illumination or they may be of a face illuminated channel letters using the tenant's logo graphics and colors, (or both). The Primary Retail Tenant facade signs may occupy no more than sixty (60) percent of the width of the tenant's linear front footage centered in the space. Overall sign area height for any logo or portion of tenant's text may not exceed twenty-four (24) inches in overall height. No sign regardless of length of length of tenant's facade, may exceed one hundred (100) square feet in overall sign area. Light box type of signs with luminous plastic or acrylic sign faces are prohibited. Exposed neon or open light sources are prohibited.

(d) Primary Retail Tenant Art Image Panels.

Each Primary Retail Tenant in a Vertical Shopping Center shall be permitted to install a maximum of two Art Image Panels, as defined below, along the perimeter of the Vertical Shopping Center.

Art Image Panels shall consist of an area to be primarily a creatively, cropped, professional photographic image. Panels will be a large format, perforated 3M digitally printed vinyl, adhered to the building or adhered to a rigid prefabricated aluminum perforated mesh panel applied to the building. Banners are not a permitted form of art image panel under this provision.

The total aggregate area of all art image panels in the Vertical Shopping Center shall not exceed twenty (20) percent of the total facade area of the Vertical Shopping Center. No individual art image panel shall exceed three hundred fifty (350) square feet in area and any signage incorporated into such panels shall not exceed twenty (20) percent of the total area of such panel, aggregation of sign areas shall not be permitted from one panel to another. All tenant art image panels require a Class II Special Permit approval.

(e) Ground Floor Level Facade Signage.

Facade signs for retail establishments occupying the ground floor level of Vertical Shopping Centers must be confined to the architecturally designated sign band area on the building. Signs within this sign band may not exceed twenty-four (24) inches in overall height of sign area, text or individual letters may not exceed eighteen (18) inches in overall capital letter/logo height and may not exceed sixty (60) percent of the width of the area between any tenant's demising partition lines with the sign centered between/within the tenant space. Signs may consist of no more than two lines of text or letters. In no event should any single ground floor level facade sign exceed a maximum of twenty-four (24) square feet in size.

Where a tenant's space is located so that it has two (2) storefronts, (facing a front street and a side), then each storefront shall be entitled to a sign equal to the size of the primary tenant facade sign. No more than one sign per street frontage shall be permitted.

Tenant canopy or awning signs are permitted where the canopy or awning is a part of the approved architectural design of a given storefront. A sign consisting of the name and/or logo of the establishment along the valance edge of the canopy may be permitted. Such sign may be no larger than six (6) inches in overall height for all logo and/or text and no longer than fifty (50) percent of the width of the awning.

One hanging under canopy sign, perpendicular to the storefront, located adjacent to the front entrance of the premises shall be permitted per retail tenant. The hanging under canopy sign shall hang from a hanging bracket consistent with the overall signage package for the Vertical Shopping Center. The display panel part of the sign will be no larger than six (6) square feet in overall sign area for each sign face. The sign is double faced. The overall capital letter height of any letters or logo may not exceed eight (8) inches. The sign is to be illuminated with external spotlights only. No internal illumination is permitted. Sign may be made of wood, metal or painted pvc board or acrylic. Unpainted acrylic or plastic is not permitted, Jewelite trim or letters on any sign parts are not permitted.

(f) Window Signs.

Each ground floor retail tenant may display their name and/or logo on the display window glass of the shop. One of the following options are available for this sign type. Tenant name on window glass may be applied directly to the inside of the glass on one window adjacent to the entry door in a professional way using silk screening, painting and/or computer generated vinyl die-cut lettering. The maximum capital letter height of the lettering and/or logo may be no more than six (6) inches. The overall sign area for this sign may not exceed four (4) square feet.

As an alternative window sign, each tenant may place its name and/or logo along the bottom of the window in a continuous band applied to the inside of the glass in a professional way using silk screening, painting and/or vinyl die-cut lettering. The maximum height of the logo and/or letters may not exceed three (3) inches. The sign may run the entire width of the storefront in evenly spaced intervals provided the maximum height to the top of the logo or letters is no more than twelve (12) inches above the bottom of the window frame.

Tenants with multiple storefronts may have one window sign per storefront.

Tenants may display only one "open" sign in their window at the primary entry to the shop. This sign may be of a skeleton neon configuration consisting of no more than two (2) colors and the sign may be no larger than two (2) square feet in overall sign area.

Tenants may use an area no larger than one square foot for the display of credit card or other bank association decals or stickers. These must be located in the window immediately adjacent to the front door and be located in the bottom corner of the window no more than three (3) inches from the side and bottom mullion of the window frame.

These decals may not be placed on doors.

Each tenant space shall have a postal ID number located by the owner above the entry door to the space. This will consist of three-inch white vinyl die cut letters located on the inside of the window glass.

(g) Temporary Advertising Signs.

Any temporary signs located within any tenant space on the site and situated so as to be visible from the pedestrian walkway and/or street or roadway shall subject to these criteria. No more than two paper or cardboard signs or posters may be displayed so as to be visible in any storefront window at any given time. These signs or posters may not exceed two (2) square feet in total sign area.

(h) Exterior Restaurant Menu Boards.

In addition to other signage permitted by this section, restaurants in Vertical Shopping Centers may display a menu board. The menu board may not exceed twenty-four (24) inches wide x thirty (30) inches high and four (4) inches deep. The display must be made out of wood, brass or painted aluminum and be fabricated so as to display a copy of the restaurant's menu, which may be changed on a daily basis. The display is to have a case

lock to prevent tampering with the menu. The display must be wall mounted within five (5) feet of the entry to the restaurant. The display may be internally or externally illuminated provided no light is visible from or glares into a public right-of-way.

*10.6.3.24. Reserved.*

*10.6.3.25. SD-25 SW 8 th Street Special Overlay District.* It is the intent of this special district to preserve the character of certain sections of SW 8th Street within the city, from downtown to SW 27 th Avenue. SW 8th Street is a gateway into the city with a distinctive urban character and should be preserved and enhanced in a manner befitting this role. To this end, the purpose of this special district overlay is to ensure that future development and redevelopment activity respects this character and compliments the scale and variety of uses along the SW 8th Street corridor.

**Sign Regulations:** Sign limitations shall be as for the underlying districts, except as provided below:

*1. General limitations.*

a) Signs more than fifteen (15) feet above grade, but less than fifty (50) feet above grade. Signs erected with their lowest portions more than fifteen (15) feet above grade shall be limited to those identifying the building and the nature of the establishments it contains. Except as provided below, only one (1) such sign, not exceeding fifty (50) square feet in area for every one hundred (100) feet of length of building wall oriented toward the street, shall be permitted. In addition to the Class II Special Permit required for such signs, referral to the urban development review board shall be mandatory for signs fifteen (15) feet above grade that exceed the allowable fifty (50) square feet of sign area. Area of such signs shall in no case exceed 1.5 square feet for each lineal foot of building wall frontage on a street.

b) Signs fifteen (15) feet or less above grade; limitations on number and area. Wall signs (not including signs in glassed areas of windows or doors) and projecting signs erected with their highest portion fifteen (15) feet or less above grade shall be limited to one (1) square foot of sign area for each lineal foot of wall frontage on a street, except as otherwise specifically provided herein. Signs in glassed areas of windows and doors shall not exceed ten (10) percent of the glassed area of the window or door involved.

*2. Detailed limitations, wall signs, projecting signs, window signs.*

a) Within the maximum allowable sign area, at or below fifteen (15) feet above grade (as calculated above), the following limitations shall apply to number and area of signs. Not more than one (1) wall sign may be erected per establishment unless the establishment has frontage along two (2) streets, in which case two (2) wall signs shall be permitted, one (1) on each wall fronting a street, and the maximum area of any such sign shall be limited to one (1) square foot of sign area for each lineal foot of wall fronting on the street upon which that wall faces. Not more than one (1) projecting sign, other than a marquee sign, shall be erected, with no more than two (2) surfaces, neither of which shall exceed twenty-five (25) square feet in area. No such sign structure shall extend more than three (3) feet from the wall of the building. Marquee signs shall be limited to one (1) per establishment and three (3) square feet in sign area.

*3. Directional signs, number and area.* Directional signs, which may be combined with address signs, but shall bear no advertising manner [matter], may be erected to guide entrances, exits or parking areas. Not more than one (1) such sign, not exceeding five (5) square feet in area, shall be erected per entrance, exit or parking area.

*4. Community neighborhood bulletin boards or kiosks.* Community or neighborhood bulletin boards or kiosks shall be permissible only by Class I Special Permit, as provided at section 10.3.1.6. In the case of flat bulletin boards, the area of such boards shall not exceed 25 square feet; and, in the case of kiosks, such structures shall not exceed a plan section area of 10 square feet and an overall height (including architectural embellishments) of 10 feet.

*5. Prohibited signs.* Balloon signs and ground or freestanding signs, except for temporary signs.

*6. Compliance; time limitations for existing nonconforming signage.* All nonresidential establishments located within the SD-25 District must come into compliance with the signage requirements herein, as they relate to the permitted number of signs, no later than December 31, 2002.

Notwithstanding the above, when a single building consists of multiple establishments opening up to the outdoors, the following shall apply:

Wall signs: The building in which the establishments are located shall be allowed one (1) wall sign, limited to a building identification sign, not exceeding fifty (50) square feet in area, for each face of the building oriented toward the street; and in addition, each individual establishment within a building, that has a separate entrance to the outdoors (available to the general public, whether on the ground floor or on an upper level), and a minimum frontage of 20 linear feet to the outdoors, shall be allowed the following signs:

- a) A wall sign not to exceed 20 square feet in area;
- b) Window signs not to exceed twenty (20) percent of the glass area of the window or glass door in which placed; such window signs may be painted or attached, the number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.
- c) An awning sign, limited to the skirt or bottom edge of the awning; letters, emblems, logos or symbols not to exceed 6 inches in height.
- d) A hanging (as in under an awning or similar) sign not to exceed 3 square feet in area. In addition, where the underlying zoning classification is C-1, Restricted Commercial, Outdoor advertising business signs shall be allowed as accessory uses to principal commercial uses only, and a Class II Special Permit shall be required; such signs shall further be limited as follows:
  - a) Signs shall be wall mounted only on side walls of the existing principal commercial structure and shall not be freestanding;
  - b) Signs shall be limited to one sign per structure only;
  - c) Sign area shall be limited to no greater than thirty-two (32) square feet;
  - d) Permissible sign area may only be utilized on a commercial structure which has the allowable 32 square feet of sign area unused from the total permissible wall sign area for the structure in question. (not counting the 20 sq. ft. of wall signs allowable per establishment) and
  - e) Such signs may either be painted or mounted onto the subject wall.

*10.6.3.27.2 SD-27.2 Buena Vista Yard West.* The Buena Vista Yard West District (the "district") is a mixed-use district with residential and retail uses which are serviced by several lined parking garages. This district has been designated as a regional activity center by the city and is envisioned as a hub for big box retail, which does not otherwise exist within the city. The retail stores within the district will consistently serve large numbers of people, many of whom will drive to the district and park in one of the district's several lined parking garages. In order for the district to function properly, pedestrians and vehicles must be clearly directed to parking and retail areas.

The intent of the district's sign ordinance is to:

- (1) Move pedestrian and vehicle traffic in and out of the district safely and efficiently;
- (2) Promote safe and efficient pedestrian traffic within the district;
- (3) Promote efficient vehicle circulation to and from the parking garages within the district; and
- (4) Identify the district to motorists along Interstate 195.

#### *1. General sign limitations.*

#### *District identification/directional signage:*

The district identification/directional signage program is intended to identify the district from major arterial roadways and to assist the visitor in finding their destination and the proper parking location. Design standards supplement the district identification/directional signage program and provide more detailed clarification.

Outlined below are the signage elements that comprise the district identification/directional signage system.

*1. District identification.*

a. The district identification structure will serve as a district and anchor tenant identifier that is readable from Interstate 195. The structure will be comprised of large scale letters identifying the district and large scale digital output mesh graphic panels that will communicate the district image and specific identification of major anchor tenants. The graphic panels will be changeable over time and may be highlighted with external lighting and neon lighting behind the images. Tenant names shall not incorporate more than fifty (50) percent of each graphic panel.

*2. Major vehicular directional.*

a. Major vehicular directional signage will be located on the district perimeter to direct vehicles to big box tenants (retail establishments greater than twenty thousand (20,000) square feet of floor area) and parking garages.

b. Signs will contain identification for major tenants and directional parking information; will be painted metal; and may be both externally and edge illuminated. Signs will not exceed fifteen (15) feet in height and eight (8) feet in width when located near major access or project visibility points; within other locations, such size may be reduced through the Class II Special Permit process to be compatible with the scale and character of the project.

*3. Minor vehicular directional.*

a. Minor vehicular directional signage will be located throughout the district to direct vehicles to retail tenants, restaurants and parking garages.

b. Signs will be painted metal with Scotchlite lettering. Signs will not exceed five (5) feet in height and four (4) feet six (6) inches in width..

*4. Pedestrian directional.*

a. Directional signage will be located throughout the district to direct pedestrians to retail tenants, restaurants and parking garages.

b. Signs will be painted metal with Scotchlite lettering. Signs will not exceed eight (8) feet in height and four (4) feet in width.

*5. Street I.D. signs.*

a. Street I.D. signs will identify streets within the district; will be located on street corners and will be customized versions of a typical street identification sign.

*6. Pedestrian directories.*

a. Pedestrian directories will be located throughout the district and will contain a district map and tenant/major use listings. The pedestrian directory will be a painted metal box with an internally illuminated Duratrans surface. The directory will not exceed eight (8) feet in height or six (6) feet six (6) inches in width.

*7. Geode totem.*

a. Geode totems are three-dimensional stacked cubes which will be located throughout the district. Geode totems will direct pedestrians to retail tenants, restaurants and parking garages. The geode totems will be constructed of a cast material and will not exceed twelve (12) feet in height and four (4) feet in width.

This sign element shall be consistent with the graphic design standards as adopted by "Section III, 6: Signage" of the SD 27.2 Design Standards.

*Temporary signs:*

1. Temporary signs, which include political election signs and real estate signs, shall be allowed subject to the exceptions, limitations and responsibilities of subsection 10.3.2 of the Code; however, one (1) additional real estate sign (as that term is defined in section 10.2 of the Code) shall be permitted at a district corner that allows four hundred (400) square feet on each of two (2) faces (sign to form an L on the corner) not to exceed twenty (20) feet in height. Real estate signs shall be limited to one (1) sign per each street frontage.

2. In connection with holidays: Decorative flags, bunting, and other decorations on special occasions. No sign permit shall be required for display of decorative flags, bunting, and other decorations related to holidays.
3. Construction: Not to exceed one (1) construction sign, or thirty (30) square feet in area for each lot line adjacent to a street. Development signs shall not be permitted except in conjunction with such construction signs or by Class I Special Permit.

*Permanent signs:* Except as otherwise provided, such signs may be illuminated but shall not be animated or flashing.

1. For a single building with more than one (1) establishment opening up to the outdoors or a single establishment within a building. The establishments within a building, which are at least eight thousand (8,000) gross square feet, that have a separate entrance to the outdoors (available to the general public, whether on the ground floor or on an upper level), and a minimum frontage of forty (40) linear feet to the outdoors, shall be allowed the following signs:

*Wall signs,* limited to two and one-half (2 1/2) square feet of sign area for each lineal foot of wall fronting on a street if any portion of such sign is below fifteen (15) feet above grade. For each foot that the lowest portion of such sign exceeds twenty-five (25) feet, permitted sign area shall be increased one (1) percent up to a maximum height of fifty (50) feet above grade. Not to exceed three (3) such signs for each frontage on which area calculations are based, but one (1) of these may be mounted on a sidewall.

*Window signs, painted or attached,* shall not exceed twenty (20) percent of the glassed area of the window in which placed. Number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.

*Projecting signs (other than under awning signs)* shall be limited to one (1) sign structure with no more than two (2) sign surfaces, neither of which shall exceed forty (40) square feet in sign area; however, that such permissible sign area may be increased to eighty (80) square feet where maximum projection from the face of the building is two (2) feet or less, sixty (60) square feet where projection is more than two (2) and less than three (3) feet, and forty (40) square feet where projection is at least three (3), but not more than four (4) feet the aggregate area of such signs shall be included as part of aggregate wall sign area, as limited above.

*Ground/freestanding signs.* Ground or freestanding signs, to the extent allowed subject to the limitations and restrictions set forth in sections 10.4.5 and 10.8, shall be limited to one (1) sign and forty (40) square feet of sign area (for each face) for each business, or for each one hundred fifty (150) feet of street frontage. Permitted sign area may be used in less than the maximum permitted number of such signs, but no sign shall exceed two hundred (200) square feet in area for each face. Maximum height limitation shall be twenty (20) feet including embellishments, measured from the crown of the nearest adjacent local or arterial street, not including limited access highways or expressways, provided, however, that the planning and zoning director, through a Class II Special Permit, may increase the measurement of the crown by up to five (5) feet to accommodate unusual or undulating site conditions.

*Directional signs, number and area.* Directional signs, which may be combined with address signs but shall bear no advertising matter, may be erected to guide to entrances, exits, or parking areas. Not more than one (1) such sign, not exceeding ten (10) square feet in area, shall be erected per entrance, exit, or parking area.

2. For a single building with more than one (1) establishment opening up to the outdoors. The establishments within a single building which are less than eight thousand (8,000) gross square feet, shall be allowed the following signs:

*Wall signs:* The building in which the establishments are located shall be allowed one (1) wall sign, limited to a building identification sign, not exceeding fifty (50) square feet in area, for each face of the building oriented toward the street; and in addition, each individual establishment within a building, that has a separate entrance to the outdoors

(available to the general public, whether on the ground floor or on an upper level), shall be allowed the following signs:

- a) A wall sign not to exceed twenty (20) square feet in area;
- b) Window signs not to exceed twenty (20) percent of the glass area of the window or glass door in which placed; such window signs may be painted or attached, the number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.
- c) An awning sign, limited to the skirt or bottom edge of the awning; letters, emblems, logos or symbols not to exceed six (6) inches in height.
- d) A hanging (as in under an awning or similar) sign not to exceed three (3) square feet in area.

*Window signs, painted or attached,* shall not exceed twenty (20) percent of the glassed area of the window in which placed. Number of such signs is not limited by these regulations, but aggregate area shall be included as part of aggregate wall sign area, as limited above.

*Projecting signs (other than under awning signs)* shall be limited to one (1) sign structure with no more than two (2) sign surfaces, neither of which shall exceed forty (40) square feet in sign area; however, that such permissible sign area may be increased to eighty (80) square feet where maximum projection from the face of the building is two (2) feet or less, sixty (60) square feet where projection is more than two (2) and less than three (3) feet, and forty (40) square feet where projection is at least three (3), but not more than four (4) feet the aggregate area of such signs shall be included as part of aggregate wall sign area, as limited above.

*Ground/freestanding signs.* Ground or freestanding signs, to the extent allowed subject to the limitations and restrictions set forth in Sections 10.4.5 and 10.8, shall be limited to one (1) sign and forty (40) square feet of sign area (for each face) for each business, or for each one hundred fifty (150) feet of street frontage. Permitted sign area may be used in less than the maximum permitted number of such signs, but no sign shall exceed two hundred (200) square feet in area for each face. Maximum height limitation shall be twenty (20) feet including embellishments, measured from the crown of the nearest adjacent local or arterial street, not including limited access highways or expressways, provided, however, that the planning and zoning director, through a Class II Special Permit, may increase the measurement of the crown by up to five (5) feet to accommodate unusual or undulating site conditions.

*Directional signs, number and area.* Directional signs, which may be combined with address signs but shall bear no advertising matter, may be erected to guide to entrances, exits, or parking areas. Not more than one (1) such sign, not exceeding ten (10) square feet in area, shall be erected per entrance, exit, or parking area.

3. Notwithstanding the provisions set forth herein, where there are commercial, service or retail uses in a structure which may not be seen directly from the public right-of-way, but have direct access from a courtyard or open space which abuts a primary pedestrian pathway, a free-standing directional sign containing the names of all the establishments concealed from direct view may be erected which may be combined with a location map of the complex. Not more than one (1) such sign, not exceeding twenty (20) square feet in area, shall be erected per entrance, exit, or parking area.

4. Community or neighborhood bulletin boards or kiosks: Shall be permissible only by Class I Special Permit, as provided at section 10.3.1.6. In the case of flat bulletin boards, the area of such boards shall not exceed twenty-five (25) square feet; and, in the case of kiosks, such structures shall not exceed a plan section area of ten (10) square feet and an overall height (including architectural embellishments) of ten (10) feet.

(Ord. No. 12213, § 1, 4-11-02; Ord. No. 12509, § 2, 3-25-04; Ord. No. 12705, § 2, 6-23-05)

Sec. 10.7. Limitations on signs above a height of fifty (50) feet above grade.

Except as otherwise provided in a specific zoning district, the following regulations shall apply to all signs above a height of fifty (50) feet above grade:

1. Signs shall be limited to the identification of the building or the name of one (1) major tenant of the building occupying more than five (5) percent of the gross leasable building floor area. Not more than two (2) signs per building on two (2) separate building facades shall be permitted.
2. Signs shall consist only of individual letters and/or a graphic logotype. No graphic embellishments such as borders, or backgrounds shall be permitted.
3. The maximum height of a letter shall be as follows:

TABLE INSET:

If Any Portion of a Sign Is:	Maximum Letter Height (feet)
Over fifty (50) feet but less than two hundred (200) feet above grade	4
Over two hundred (200) feet but less than three hundred (300) feet above grade	6
Over three hundred (300) feet but less than four hundred (400) feet above grade	8
Over four hundred (400) feet above grade	9

The maximum height of a logo may exceed the maximum letter height by up to fifty (50) percent if its width does not exceed its height. When text and a graphic logotype are combined in an integrated fashion to form a seal or emblem representative of an institution or corporation, and when this emblem is to serve as the principal means of building identification, the following regulations shall apply.

TABLE INSET:

If Any Portion of a Sign is	Maximum Sign Surface (sq. ft)
Over fifty (50) feet but less than two hundred (200) feet above grade	200
Over two hundred (200) feet but less than three hundred (300) feet above grade	300
Over three hundred (300) feet but less than four hundred (400) feet above grade	400
Over four hundred (400) feet above grade	500

4. The maximum length of the sign shall not exceed eighty (80) percent of the width of the building wall upon which it is placed, as measured at the height of the sign. The sign shall consist of not more than one (1) horizontal line of letters and/or symbols, unless it is determined through Class II review that two (2) lines of lettering would be more compatible with the building design. The total length of the two (2) lines of lettering, end-to-end, if permitted, shall not exceed eighty (80) percent of the width of the building wall.

5. No variance from maximum size of letter, logotype, length of sign or number of signs shall be granted.

6. All sign permits shall be subject to Class II Special Permit. In considering the Class II Special Permit, the planning and zoning director shall obtain the recommendation of the

Urban Development Review Board (UDRB). The UDRB shall recommend its findings to the planning and zoning director. The planning and zoning director may waive review by the UDRB if such review procedures would delay issuance of a Class II Special Permit by more than thirty (30) days from the date of permit application.

7. The UDRB and Class II Special Permit review shall be based on the following guidelines:

- (a) Signs should respect the architectural features of the facade and be sized and placed subordinate to those features. Overlapping of functional windows, extensions beyond parapet edges obscuring architectural ornamentation or disruption of dominant facade lines are examples of sign design problems considered unacceptable.
- (b) The sign's color and value (shades of light and dark) should be harmonious with building materials. Strong contrasts in color or value between the sign and building that draw undue visual attention to the sign at the expense of the overall architectural composition shall be avoided.
- (c) In the case of a lighted sign, a reverse channel letter that silhouettes the sign against a lighted building face is desirable. Lighting of a sign should be accompanied by accent lighting of the building's distinctive architectural features and especially the facade area surrounding the sign. Lighted signs on unlit buildings are unacceptable. The objective is a visual lighting emphasis on the building with the lighted sign as subordinate.
- (d) Feature lighting of the building, including exposed light elements that enhance building lines, light sculpture or kinetic displays that meet the criteria of the Dade County art-in-public places ordinance, shall not be construed as signage subject to these regulations.

8. Procedure for review of decision by planning and zoning director to issue Class II Special Permit based on UDRB's recommendation. Such decisions by the planning and zoning Director may be appealed in accordance with Article 15 of the Zoning Ordinance. (Ord. No. 12213, § 1, 4-11-02)

#### Sec. 10.8. Nonconforming signs.

The following provisions shall apply to signs as a nonconforming characteristic of use:

##### *10.8.1. Removal.*

*10.8.1.1.* All legal nonconforming signs as characteristics of use shall be removed no later than the termination of the allowed amortization period. Continuance of a nonconforming sign shall only be pursuant to section 10.8.3.

*10.8.1.2. Removal in residential districts.* In all residential districts, legal, nonconforming signs shall be removed within one (1) year of the effective date of Ordinance No. 12213, or within that period such signs shall be made to conform; provided, however, that nonconforming nonresidential uses in residential districts shall be permitted to maintain signs as provided in regulations for the first district in which such uses would be conforming.

*10.8.1.3. Removal in other districts.* In any district other than residential, any sign or outdoor advertising signs which become nonconforming as a result of the adoption of Ordinance No. 12213 shall be removed within five (5) years after the effective date of said Ordinance, subject to the following further limitations on such continuance:

(a) Article XXIV, Section 1, Subsection 7 (a), and Article XXVIII, Section 3, Subsection 3 (a), Ordinance No. 6871, as amended, repealed by Ordinance No. 9500, as amended, the same being provisions dealing with roof signs and requiring their termination and removal from the premises on which they are located not later than twelve (12) years following the date they became nonconforming, shall continue to be operative and given full force and effect. All legal proceedings begun and all legal proceedings that might have been begun under these provisions of Ordinance No. 9500, as amended, prior to the repeal of Ordinance No. 9500, as amended, shall be given full force and effect as though Ordinance No. 9500, as amended, had not been repealed.

(b) Section 926.12. "Signs of graphic or artistic value" of Ordinance 11000, as amended, the Zoning Ordinance of the City of Miami, is repealed by the adoption of Ordinance No. 12213, and all existing signs of graphic or artistic value shall be removed from the premises on which they are located not later than five (5) years from the effective date of this Ordinance; however, all legal proceedings begun and all legal proceedings that might have been begun under the provisions of Ordinance No. 11000, as amended, governing signs of graphic or artistic value, prior to the repeal of the above referenced subsections of Ordinance No. 11000, as amended, shall be given full force and effect as though said subsections had not been repealed.

(c) Section 926.15. Outdoor advertising signs, as specified in Ordinance 11000, adopted in 1990, the Zoning Ordinance of the City of Miami is hereby repealed to the extent it is inconsistent with Article 10 and deals with "Outdoor advertising signs." Nothing, however, in Article 10 shall affect those provisions of Zoning Ordinance 11000, as amended requiring the termination and removal of freestanding outdoor advertising signs from the premises on which they were located not later than five (5) years following the date they became nonconforming as a result of the passage of Ordinance No. 11000 in 1990, and such provisions shall continue to be operative and given full force and effect. Moreover, nothing in Article 10 shall affect any legal proceedings begun and all legal proceedings that might have been begun under the provisions of Ordinance No. 11000 adopted in 1990, and such proceedings shall be given full force and effect.

*10.8.2. Eligibility for Continuance pursuant to Section 10.8.3.* To be eligible for a continuance of a nonconforming sign when permitted by special permit within the provisions of Section 10.8.3. of Zoning Ordinance 11000, as amended, the subject sign shall comply with the following:

1. The subject sign must have been lawfully erected and lawfully permitted at its inception and continuously thereafter. For the purposes of Zoning Ordinance 11000, as amended a lawfully erected sign, shall be defined as a structure which lawfully obtained a building permit (including all required inspections), a certificate of occupancy or a certificate of use, as applicable, at such time when the subject sign was permissible within the zoning classification on which it is located; and
2. At the time of application for continuance of the nonconformity, the subject sign must be classified as a legal nonconformity for which the amortization period has not yet expired; and
3. The subject sign must be in compliance with all applicable City, County, State and Federal regulations, laws and ordinances.

*10.8.3. Outdoor advertising signs which are freestanding; Continuance of nonconformity.*

*10.8.3.1.* All outdoor advertising signs which are freestanding and that became nonconforming as a result of the adoption of Ordinance 11000 in 1990, such that the five (5) year amortization period allowed therein has expired, shall not be eligible for a Class II Special Permit as set forth in section 10.8.3.3 below.

*10.8.3.2.* All outdoor advertising signs which are freestanding, were lawfully erected (as defined in Section 10.8.2) and have become a nonconforming sign as a result of the adoption of Ordinance No. 12213, shall be removed within five (5) years of the effective date of said Ordinance, provided however that such signs may be eligible to remain standing following the expiration of the amortization period specified herein subject to:

1. Application for and issuance of a Class II Special Permit as set forth in Section 10.8.3.3.; the expressed intent of such Class II Permit is to improve the visual aesthetics of such signs as a condition for remaining. No such signs shall be permitted to remain if they were not legally erected when such signs were permissible within the specified zoning district.
2. A Class II Special Permit application shall be filed for any nonconforming outdoor advertising sign which is freestanding and is eligible for a Class II special permit to

remain, no later than one hundred twenty (120) days from the date the five-year amortization period expires on their nonconforming status.

*10.8.3.3. Criteria.* Any outdoor advertising sign which is freestanding and eligible for a Class II Permit to remain must comply with the criteria specified in Section 1305 of this zoning ordinance and additionally, with the following specific, detailed criteria, requirements, limitations and restrictions:

- a. Sign structures supported by multiple I-beams shall be replaced with monopole structures.
- b. All sign structures shall be limited to an overall height of thirty (30) feet as measured to the top of the sign structure from the crown of the nearest adjacent roadway, except when located within six hundred sixty (660) feet from an elevated limited access highway in which case the overall height shall be forty (40) feet; only embellishments may be taller, but in no case shall embellishments exceed an additional five (5) feet in height.
- c. Sign area shall not exceed six hundred seventy-two (672) square feet; with embellishments not to exceed an additional ten (10) percent of the sign area.
- d. Monopole sign structures shall be painted, and maintained, to a uniform color (to be selected by the Planning and Zoning Department).
- e. Sign lighting shall be enhanced, when applicable or deemed appropriate pursuant to the Class II Special Permit review process, to consist of decorative lighting fixtures, in an effort to enhance the appearance of such signs along corridors which abut residential areas.
- f. Any such signs eligible to remain, pursuant to this subsection, shall comply with the following landscape requirements for screening the monopole structures to the extent possible: One (1) shade tree for the first five hundred (500) square feet of site area and one (1) side shade tree for each additional one thousand (1,000) square feet or portion thereof of site area; the remainder of the site area shall be landscaped with equal portions of hedges and/or shrubs and living ground cover. Said landscaping shall be provided with irrigation and shall be continuously maintained; such landscape requirements may be modified or waived by the Planning and Zoning Director upon a finding that there is insufficient room for a reasonable provision of landscaping on the specific site in question; such modification or waiver requests shall be accompanied by a landscape mitigation plan which enhances landscaping in the nearby area.
- g. Any such signs eligible to remain shall be maintained in accordance with the requirements of this subsection and the City's appearance code (as specified in Chapter 10 of the City Code of the City of Miami, as amended).
- h. Any such signs eligible to remain shall pay mitigation fees as specified in Chapter 62, Article X, of the City Code of the City of Miami, as amended, as an additional condition of the Class II Special Permit.
- i. Upon application for a Class II Special Permit, the applicant shall provide the city with a certified appraisal of the subject property, including all real and personal property on the premises.

*10.8.3.4.* Any lawfully erected outdoor advertising sign which is located along any portion of the interstate or federal-aid primary highway system and which becomes a nonconforming sign as a result of the adoption of Ordinance No. 12213 is not subject to removal after the expiration of the five-year amortization period set forth herein.

*10.8.4. Rescission.* the Director of the Planning and Zoning Department may rescind any Class II Special permit granted under this section for failure to maintain such sign in appropriate condition and repair; such decisions by the Planning and Zoning Director may be rendered after a 60 day written notice from the City and a finding that no corrections to the violations have been made; such decisions by the Planning and Zoning Director may be appealed in accordance with Articles 15 and 18 of the Zoning Ordinance.

(Ord. No. 12213, § 1, 4-11-02; Ord. No. 12246, § 2, 6-27-02)

Sec. 10.9. Severability.

If any section, subsection, sentence, clause, or phrase of Article 10 is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of Article 10. The City Commission hereby declares that it would have passed Ordinance No. \_\_\_\_\_, and each section, subsections, sentence, clause and phrase thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases hereof be declared invalid or unconstitutional.

The invalidation of the application of any section, sentence, clause, phrase, word, portion, or provision of Article 10 to a particular property or structure, or any particular properties or structures, by any court of competent jurisdiction shall not affect the application of such section, sentence, clause, phrase, word, portion or provision to any other property or structure not specifically included in the invalidation.

(Ord. No. 12213, § 1, 4-11-02)